

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

In the Matter of	(
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Notice of Inquiry	( PS Docket No. 10-255
Framework for Next Generation 911	( FCC NOI 10-200
Deployment	(
	(
Unidentified Caller Access to NG-911	(

**COMMENTS OF NSI 911**

**I. Introduction**

NSI 911 submits the following comments. As detailed herein, NSI 911 introduces comments and proposes solutions to the problem of how to best handle calls from Unidentified Callers (Non System Initialized phones) as they attempt access to NG-911. Specifically NSI 911 is proposing that unidentified callers handed as proposed by American Roaming Network in its comments to PS Docket 08-51<sup>1</sup>. NSI 911 Corporation was created to handle just such communication attempts. NSI 911 will be demonstrating its Patent Pending System at upcoming industry events. As shown Docket 08-51, NSI 911 along with its parent company ARN believes they are uniquely qualified to offer observations and solutions to the vexing problem presented in this docket, having become the nation's largest organization devoted to servicing calls placed from unrecognized mobile devices and serving the manual roaming needs of mobile service providers.

The issues the FCC is trying to resolve in PS Docket 08-51 are the same issues in this docket. We agree with Verizon Wireless<sup>2</sup> “, it is evident that PSAPs are in the best position to determine which calls, and under what circumstances, get re-routed away from the PSAP.” NSI 911’s unique patent pending solution can be implemented immediately with no modification to handset or E911 systems. The system provides for the calling party to complete urgent calls via alternate routing/billing methods (Per FCC mandate for “Manual Roaming” [CFR 47 20.12c](#)), and provides methods for screened E911 calls to be delivered back to the correct PSAP. NSI911’s solution gives PSAPs the ability to manage calls from unidentified callers before they reach an operator without affecting Public Safety.

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<sup>1</sup> See comments and reply comment of American Roaming Network PS Docket 08-51

<sup>2</sup> See Verizon Wireless Reply comments PS Docket 08-51

## **II. Liability**

The FCC seeks comments on new liability issues “NG911 may raise liability concerns both for PSAPs and for commercial providers of NG911-related services and that liability protections may therefore need to be modified in an NG911 environment.”

Our major concern is over civil liability risks that leave NSI911 unreasonably exposed to lawsuits when it is able to offer a valid service that is in the best interest of the public. It is essential that this problem be addressed in the context of this Inquiry, lest those who implement whatever proposals are adopted come to face the same hesitancy. The solution is simple - PSAPs, carriers and the clearinghouse must have immunity from third-party liability.

Rather than provide blanket immunity, which might give an impression of ceding plenary control over 911 calls to self-interested private parties, it would be appropriate to adopt reasonable service standards which would have to be met in order to warrant protection. Such standards could either be prescribed by the FCC through general rules or, better, proposed by each call center and approved expeditiously by the FCC or an industry/citizen committee, using an established template that would give service providers the necessary guidance in formulating their individual methods. NSI 911 suggests looking to the Good Samaritan laws as a model. These laws have been passed by many state legislatures as a solution to help medical responders to emergency situations. While details of Good Samaritan laws vary somewhat, typically they protect trained or approved personnel from liability for the death, injury, disfigurement or disability of the victim as long as the responder acted rationally, in good faith, and in accordance with his or her level of training. These standards could be developed by the process described in this paragraph.

NSI 911 believes that the industry/citizen committee approach would permit greater flexibility and more rapid evolution of applicable standards. In either event, the standards would have to be specific enough to ensure prompt evaluation of an incoming call "and forwarding to the appropriate PSAP, yet broad enough so as not to violate any proprietary aspects of regulates' business models. Should the Commission conclude that provision of such liability protection may not lie within its mandate under the Communications Act, and then a request for action from Congress might be required?

## **III. Unidentified Caller Access**

The FCC seeks comments on callers that do not have an active subscription with an application service provider and creating authorization models that are separate from traditional subscriber arrangements. It is NSI 911's belief that callers without active subscription should not be totally restricted from access the NG-911. We feel that technology can balance the need for the access to the network with PSAP need to control unintentional, prank, or malicious calls to a PSAP. NSI 911 believes that it is feasible and desirable to collect “emergency-call-only credentials” Any registration system should have the following attributes:

1. The PSAP should have control to decide if registration is required, not required or offered.

2. If the PSAP chooses to offer registration, the caller should be able to complete the registration from the device that is attempting access to NG-911. If the device is attempts from a voice call then registration should be offered via IVR. If the NG-911 access attempt comes from a web enabled device then web based registration should be offered.
3. The registration process should not be overly restrictive in what information is required to complete the registration. Any of the follow should be sufficient for registration:
  - a. Valid Alternate Phone Number
  - b. Valid Credit Card
  - c. Valid e-mail address
4. The registration process should address the possibility that the call back number provided by the network may not be valid.

The FCC seeks comments on the best ways to handle calls if the authorization procedures fail. We feel that technology can balance the need for the access to the network with the PSAPs need to control unintentional, prank, or malicious calls. The PSAPs need the ability to optionally filter on a device to device basis. Specific callers or groups of callers should optionally be given custom treatment, transferred and/or blocked from 9-1-1 access. The PSAP should determine the unique prompts given to repeat offenders to persuade the caller to stop calling. Filtering decisions should be allowed to be changed in real time as conditions change. In a 9-1-1 overload condition – i.e. coordinated denial of service attack – PSAP should have the ability to throttle or block unidentified callers altogether

#### **IV. Conclusion**

For the Foregoing reasons, NSI 911 submits that the best approach to best handle calls from Unidentified Callers to implement effective registration processes coupled with call screening processes.

Respectfully submitted,  
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